

MINUTES
BOARD OF SUPERVISORS
COUNTY OF YORK

Regular Meeting
June 7, 2005

7:00 p.m.

Meeting Convened. A Regular Meeting of the York County Board of Supervisors was called to order at 7:00 p.m., Tuesday, June 6, 2005, in the Board Room, York Hall, by Chairman James S. Burgett.

Attendance. The following members of the Board of Supervisors were present: Walter C. Zarembo, Sheila S. Noll, Kenneth L. Bowman, James S. Burgett, and Thomas G. Shepperd, Jr.

Also in attendance were James O. McReynolds, County Administrator; J. Mark Carter, Assistant County Administrator; and James E. Barnett, County Attorney.

PRESENTATIONS

YORK COUNTY YOUTH COMMISSION

Quarterly Report

Chris Rhodes, Chairman of the 2004-2005 York County Youth Commission, made the Commission's final quarterly report. He stated the Commission had raised funds by selling wrist bands for tsunami victims relief in conjunction with the SCA, and funds were sent to two international organizations to help the victims rebuild their lives. He thanked the SCA for its coordination of the project and expressed his hope that more joint efforts will take place in the future. He thanked Frank Rogers and Paulette Parker of Community Services for their support to the Youth Commission. He noted that the student survey which is due to be given again during the 2005-2006 term had been revamped, and he thanked Ms. Parker for her help on it, as well as the College of William and Mary students who also provided assistance. Mr. Rhodes expressed a special thanks to Dr. Ron Rappaport of the College who donated his time to provide suggestions for the survey. He noted the Commission was looking forward to working with the school administration on the survey this coming school year. He noted the Commission had just completed assisting with the Comprehensive Plan review, stating the Commission was invited to participate in this process, and sent a representative to two of the meetings and attended open houses on the process last fall. All commissioners completed an on-line survey.

Mr. Rhodes then thanked Mr. Burgett for serving as the Board's liaison to the Commission during the first semester and to Mr. Bowman during the second semester, stating their demonstration of caring, insight, support, and encouragement was invaluable to the commissioners.

Commendation of 2004-2005 Youth Commissioners

Chairman Burgett read aloud excerpts from the resolution commending the members of the 2004-2005 York County Youth Commission, and he and Mr. Bowman presented each outgoing member with a signed, sealed, and bound copy of the resolution which was adopted on May 3.

Introduction of the 2005-2006 Youth Commissioners

Chairman Burgett introduced the members of the newly appointed 2005-2006 York County Youth Commission, and Mr. Bowman presented each of them with a York County pin.

HAMPTON ROADS ECONOMIC DEVELOPMENT ALLIANCE (HREDA)

Chairman Burgett stated that when the merger of the Peninsula and Southside economic development entities was proposed, the Board was very concerned about how York County was going to fit in. He stated he has attended the meetings and through the information he has received, he was very pleased that Mr. Hicks and his staff were making such a tremendous effort to serve all the members of the Alliance.

Mr. C. Jones Hooks, Executive Director of the HREDA, thanked Mr. Burgett for his kind comments, stating the Alliance and its staff hit the ground running March 1. He noted that everything may not be running completely smooth, but the problems are minor, and the programs are working well. He stated that he and Jim Noel had discussions this evening and had the pleasure of visiting the new Riverwalk Landing, and the Alliance will certainly be promoting it when prospects come to the region. As a result of the consolidation efforts, Mr. Hooks stated HREDA has become a force in Virginia to reckon with, stating Hampton Roads has 22 percent of the state's population with over 206 square miles. Even more importantly, he stated there are over 82,000 college students that will greatly impact the Hampton Roads' workforce. He stated that these statistics indicate the attention that Hampton Roads deserves from the state. He then reviewed materials he distributed to the Board, indicating the HREDA mission was to leverage the assets the localities already have and not duplicate them. He spoke of targets established throughout the region from the local government officials, and he reviewed the project inventory the Alliance is holding at the present time, noting that 31 percent of the projects are from Europe. He stated the HREDA also tracks where prospects come from so it can spend resources in a wise way. Mr. Hooks then provided the Board with the May 2005 activity report that was a consolidated report representing all of the activities since March, and indicated the Board would see the report each month. He reviewed marketing services for 2005 that included 97 initiatives to promote Hampton Roads, and he also reviewed participation expected by York County. Mr. Hooks noted that HREDA was having all its media promotions and marketing materials redesigned and was in the final stages of working out the details with an advertising firm. He spoke of the response received from international consultants in terms of regional opportunities, and indicated HREDA has a wonderful region to promote with outstanding assets.

Mr. Zaremba referred to the report Mr. Hicks had distributed, and asked what the difference was between an "A" and "B" project.

Mr. Hooks explained that an A project is one where there is likelihood of relocation or expansion in a 12-month period. Anything beyond 12 months is considered a B project.

Mr. Zaremba asked if the project manager was with the company looking to relocate.

Mr. Hooks indicated the project manager was a professional Alliance staff person who would meet face to face with the project companies.

Mr. Zaremba asked what was the bottom line in terms of the success of HREDA efforts.

Mr. Hooks stated it was the return on investment of each event or activity that HREDA was associated with. He stated that information was included in an internal document utilized for each project. He stated staff provides a sheet on each project that is shared with the marketing advisory committee. Some of these projects are closed because they go away for many reasons such as the economics of the company have changed or they may locate in another jurisdiction. He stated it was HREDA's mission to make sure that follow-up is methodical in order to flush out the projects in order to deal with real opportunities. Mr. Hooks stated the Board would see this to a degree on the monthly report.

Mrs. Noll asked how many projects had been closed during the past year, and how many had resulted in a company coming to the area.

Mr. Hooks apologized for not having the complete year-end report in front of him, but stated he thought the number of companies relocating to Hampton Roads was 6 or 7. He stated that HREDA was in the business of marketing the region to try and bring the projects in, and then the local economic development directors had to work their magic to get the companies to

locate here. He stated the Alliance was not a deal closer. Mr. Hooks promised he would send the Board the year-end information as soon as possible.

Mr. Shepperd noted the Board's apprehension for the investment it was making to the Alliance was to be provided some sort of measurement for the County's investment. He stated he would be very interested in what the County's investment was providing on the Peninsula side, and he noted the Board would continue to be concerned until it gets a better feel for it. Mr. Shepperd then asked Mr. Hooks if the Alliance was adequately staffed and funded.

Mr. Hooks stated he felt it was. He stated assessment was ongoing and some changes were being made. He stated he felt confident that the Alliance was adequately funded in order to pursue the targets that have been established and deliver what was being attempted for the region. Mr. Hooks stated the Alliance was not at its full staffing level at the present time, that two positions were being filled, but they were moving quickly in that regard.

WORK SESSION

VOTING MACHINES

Mr. Otis Childress, Chairman of the York County Electoral Board, made a presentation to the Board of Supervisors regarding the procurement of new voting machines due to the Help America Vote Act (HAVA), and outlining an option to replace all current voting machines with the new version in order to lessen the impact on the voting process, the voters, and the voting administrators, as well as save the County some future funding.

Mrs. Noll noted the new machines would do away with paper ballots, and she asked what would happen if the machine malfunctioned. She also asked if the machines would be accessible to disabled persons.

Mr. Childress stated the purchase was for 60 machines with each precinct having more than one machine, and enough equipment would be purchased to make at least one machine per precinct meet the Americans with Disabilities Act.

Mrs. Noll asked what the life expectancy was for the new machines.

Mr. Childress indicated they should have a 12-15 year life.

Mr. Shepperd asked when the machines would be needed and when would they be in place.

Mr. Childress stated the machines have to be on board by January 2006. The required funds would be needed in the FY06 budget.

Mr. McReynolds noted that if the Board were to proceed with this purchase, the funding could come from the contingency reserve, an appropriation from other revenues, or possibly be taken from year-end carry forward funds.

Mr. Shepperd asked whose requirement it was that the County purchase these new voting machines, and were they providing any funding.

Mr. Childress indicated it was a federal requirement, and they will provide some funding through the state once they have seen documentation that the machines had been purchased.

Mr. Shepperd asked if the County was getting any additional funding for the machines from the state.

Mr. Childress indicated it was not.

Mr. Shepperd asked Mr. Childress if he was satisfied that a paper ballot backup was not needed.

Mr. Childress indicated the new machines had the capability to print out ballots if necessary, and they will be used for overseas ballots that must be printed.

Mr. Zaremba questioned the timing of the Electoral Board's request and the fact that the FY2006 was just adopted in mid April. He asked if the Federal government had mandated that the new machines be purchased or were they just nice-to-have.

Mr. Childress stated the Electoral Board originally felt it could conduct the elections with one machine per precinct, except for the ADA machine would be made available for those who needed it. He stated the Electoral Board was told this March by the Federal government that it could not operate that way, that any machine placed in the precinct could be used by anyone. Mr. Childress stated that learning this made them take a second look at things they did not foresee prior to the budget being adopted.

Discussion followed on the requirements of the HAVA and its impact on the purchase of new voting machines and the possibility that the purchase to replace all the current machines be deferred to another budget year. Also discussed was the need for more voting personnel at the precincts.

Mr. McReynolds stated he had discussed this matter with Mr. Childress and Mrs. White, and what was being proposed was to replace the machines currently in use a couple of years before the end of their expected useful lives, and this would allow a higher trade-in. He stated if they were purchased now, it would cost an additional \$79,500. If not, it would cost over \$100,000 because there would be a lower trade-in, and funds spent on the HAVA machines now would not be available.

Further discussion ensued regarding maintenance being higher on the new machines.

Mrs. Noll asked if it was a personnel problem or an equipment problem, and could the re-placements be phased in, and she questioned the need to start over with all brand new machines. She noted it was past the budget time, and she suggested the HAVA machines be purchased to comply and then gradually upgrade the machines and phase them in. Mrs. Noll also suggested an aggressive recruitment program for voting officials to work the precincts.

Mr. Childress agreed that personnel was a problem. He indicated that all new machines did not have to be purchased right now, that the County could wait and spend more money later.

Chairman Burgett indicated the Board would not be making a decision on this issue at this time, and he thanked Mr. Childress for his presentation.

PARKING RESTRICTIONS

Mr. Carter stated that the Victory Industrial Park Property Owners' Association has asked that the County take a look at the parking problems in the park. The problem was that large trucks were parking alongside the roads throughout Victory Industrial Park, and they were not owned by any of the business owners in the park. He displayed slides showing the situations with the larger vehicles, noting the large vehicles impede the flow of traffic within the park. Mr. Carter stated another problem was wear and tear on the streets that were not designed to carry this kind of traffic. He recommended that the Board add Victory Industrial Park to the list identified in the Code for parking restrictions, and that a public hearing on the matter be scheduled for June 21. He noted the General Assembly had allowed this type of restriction to be invoked locally rather than by the Commonwealth Transportation Board.

Chairman Burgett noted that some of the Park owners do park their own large vehicles on the street. He asked if these owners realize that once an ordinance goes into effect, the restriction would pertain to them also.

Mr. Carter stated staff looked at that and at some of the businesses that do park on the street from time to time. He stated it was staff's opinion that they had room on their lots, with some rearranging, for long-term parking.

Chairman Burgett indicated he wanted to make sure the owners understood the restriction.

Mr. Bowman stated he had received calls from people about these large vehicles parked on the sides of the roads in the park, and one has to drive own the middle of the road in order to get around them. He stated the Sheriff's hands were tied because there was no ordinance to enforce.

Mrs. Noll expressed her agreement that this was something that needed to be done.

Chairman Burgett stated staff had the Board's consensus to advertise an ordinance to add Victory Industrial Park to the ordinance pertaining to parking restrictions for the Board's June 21 Regular Meeting

Mr. Carter indicated there was one other parking issue pertaining to no parking restrictions in Yorktown. He stated staff recommended that the Board include the following streets to the parking prohibition ordinance advertised for public hearing as well:

- Mathews Street between Route 17 and Water Street
- Ballard Street between Main and Water Streets
- Water Street on the south side along the Duke of York frontage
- Water Street between Ballard Street and the entrance to the Victory Center

Mr. Zaremba expressed concern about that portion of Water Street that extends west of the Coleman Bridge. He stated it was a fairly good stretch of beach, and he asked if there was no swimming allowed along that stretch of beach.

Mr. Carter noted there were no restrictions on that portion of the beach.

Mr. Zaremba stated if the Board precludes the ability of persons to park along this portion of Water street, there would be a long walk to the new parking structure or to other areas in the village delineated for parking. By restricting it, he stated the Board might be creating another kind of hazard. Mr. Zaremba stated he did not see the necessity to restrict parking along that whole stretch of Water Street west of the Watermen's Museum.

Chairman Burgett suggested that the Board move forward with recommending the ordinance go forward for public hearing, and take a better look at the area and the traffic flow down there in order to discuss it more at public hearing.

Mrs. Noll asked if the parking lot across the street from the Watermen's Museum was public parking or just for the museum.

Mr. Carter indicated it was public parking.

Chairman Burgett asked if the trolley ran down Water Street.

Mr. Carter indicated it did; and once the Riverwalk was completed, no one would have to walk on the street.

By consensus the Board directed that a prohibition of parking on the Yorktown streets Mr. Carter identified be added to the proposed ordinance for public hearing on June 21.

CONSENT CALENDAR

Mrs. Noll requested to make a statement concerning Item No. 2. She noted she had looked at the minutes of May 3, and she apologized for not having made some comments at that time regarding the proposal for an access on Victory Boulevard. She stated she took exception to Mr. Shepperd's claim that the proposal she provided to the citizens on the proposal was inaccurate. She stated it was not inaccurate information, and she was surprised that her veracity

June 7, 2005

would be doubted without any prior discussion, and she wanted to make her position clear now.

Mr. Zaremba, regarding Item No. 7, asked if the County had not already renovated the HVAC at the Griffin-Yeates Center, and did this procurement have anything to do with that renovation.

Mr. John Hudgins, Director of Environmental and Development Services, stated he knew that the HVAC had been renovated at the Griffin-Yeates Center but was not familiar with the particular procurement being requested.

Mr. Zaremba suggested that staff make sure, since a lot of money was spent on the system, that all the warranties are checked and make sure that an opportunity was not missed to correct whatever problems there were by that avenue first.

Mrs. Noll then moved that the Consent Calendar be approved as submitted, Item Nos. 2, 3, 4, 5, 6, and 7, respectively.

On roll call the vote was:

Yea: (5) Zaremba, Noll, Bowman, Shepperd, Burgett
Nay: (0)

Thereupon, the following minutes were approved and resolutions were adopted:

Item No. 2. APPROVAL OF MINUTES

The minutes of the following meetings of the York County Board of Supervisors were approved:

April 19, 2005, Regular Meeting
May 3, 2005, Regular Meeting

Item No. 3. REVENUE SHARING PROGRAM REQUESTS: Resolution R05-100

A RESOLUTION TO REQUEST AN ALLOCATION OF FUNDS UNDER THE TERMS OF THE VIRGINIA DEPARTMENT OF TRANSPORTATION FISCAL YEAR 2005-2006 REVENUE SHARING PROGRAM

WHEREAS, the York County Board of Supervisors desires to submit an application for an allocation of funds of up to \$1,000,000 through the Virginia Department of Transportation Fiscal Year 2005-2006, Revenue Sharing Program; and,

WHEREAS, said funds are requested to provide funding to support the installation of underground utilities in conjunction with the Route 17 widening project and to support the construction of drainage improvements in the Moore's Creek (9999-099-206, M501; UPC67930) and Brandywine subdivision (1550-099-RS; UPC 67929) projects; and,

WHEREAS, each of these projects has been previously approved for funding under prior years' Revenue Sharing Program allocation procedures and the requested funding will supplement that already approved funding.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 7th day of June, 2005, that it does hereby indicate its support of this application for an allocation of \$1,000,000 through the Virginia Department of Transportation Revenue Sharing Program.

Item No. 4. STREET ACCEPTANCE: Resolution R05-108

A RESOLUTION REQUESTING THE VIRGINIA DEPARTMENT OF
TRANSPORTATION TO INCLUDE CERTAIN STREETS IN THE
GREENLANDS, PHASES THREE, FOUR AND FIVE, INTO THE
SECONDARY SYSTEM OF STATE HIGHWAYS

WHEREAS, the following streets, which are shown on plats recorded in the Clerk's Office of the Circuit Court of York County, have been constructed to standards equal to the Virginia Department of Transportation's Subdivision Street Requirements as a requisite for acceptance for maintenance as part of the Secondary System of State Highways; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has inspected these streets and found them to be acceptable for maintenance; and

WHEREAS, the York County Board of Supervisors does hereby guarantee unencumbered rights of way, as described on the following Form SR-5A, plus the necessary easements for cuts, fills, and drainage for these streets;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors, this the 7th day of June, 2005, that the Virginia Department of Transportation be, and it hereby is, requested to add and maintain the streets described on the following Form SR-5A as part of the Secondary System of State Highways, pursuant to Section 33.1-229, Code of Virginia, 1950 amended, and the regulatory requirements of VDOT.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the developer of The Greenlands, Phases Three, Four, and Five, and to the Resident Engineer of the Virginia Department of Transportation.

In the County of York

By resolution of the governing body adopted June 7, 2005

The following Form SR-5A is hereby attached and incorporated as part of the governing body's resolution for changes in the secondary system of state highways.

Report of Changes in the Secondary System of State Highways

Form SR-5A

Secondary Roads Division 5/1/99

Project/Subdivision

The Greenlands, Phases Three, Four and Five

Type of Change: **Addition**

The following additions to the Secondary System of State Highways, pursuant to the statutory provision or provisions cited, are hereby requested, the right of way for which, including additional easements for drainage as required, is guaranteed:

Reason for Change: Addition, New subdivision street
Pursuant to Code of Virginia Statute: **§33.1-229**

Route Number and/or Street Name

Alfred Court, State Route Number 1495

Description: **From:** Route 1491 (Richter Lane)
To: End of cul-de-sac
A distance of: 0.08 mile.

Right of Way Record: Filed with the Clerk of the Circuit Court on 3/7/2003, Instrument #030005772, with a width of 50'

Brian Wesley Court, State Route Number 1494

Description: **From:** Route 1491 (Richter Lane)
To: End of cul-de-sac
 A distance of: 0.12 mile.

Right of Way Record: Filed with the Clerk of the Circuit Court on 3/7/2003, Instrument #030005772, with a width of 50'

Donovan Court, State Route Number 1493

Description: **From:** Route 1491 (Richter Lane)
To: End of cul-de-sac
 A distance of: 0.05 mile.

Right of Way Record: Filed with the Clerk of the Circuit Court on 3/7/2003, Instrument #030005772, with a width of 50'

Lance Way, State Route Number 1498

Description: **From:** Route 1668 (Blevins Run)
To: Route 1491 (Richter Lane)
 A distance of: 0.18 mile.

Right of Way Record: Filed with the Clerk of the Circuit Court on 1/14/2000, Plat Book 13, Pgs. 80-83, and 7/3/2002, Instrument #020013165, with a width of 50'

Richter Lane, State Route Number 1491

Description: **From:** Route 1498 (Lance Way)
To: End of cul-de-sac
 A distance of: 0.10 mile.

Right of Way Record: Filed with the Clerk of the Circuit Court on 12/3/2003, Instrument #030037877, with a width of 50'

Description: **From:** Route 1498 (Lance Way)
To: Route 1492 (Sheldon Way)
 A distance of: 0.20 mile.

Right of Way Record: Filed with the Clerk of the Circuit Court on 7/3/2002, Instrument #020013165, with a width of 50'

Description: **From:** Route 1492 (Sheldon Court)
To: Route 1493 (Donovan Court)
 A distance of: 0.18 mile.

Right of Way Record: Filed with the Clerk of the Circuit Court on 3/7/2003, Instrument #030005772, with a width of 50'

Description: **From:** Route 1493 (Donovan Court)
To: Route 1494 (Brian Wesley Court)
 A distance of: 0.06 mile.

Right of Way Record: Filed with the Clerk of the Circuit Court on 3/7/2003, Instrument #030005772, with a width of 50'

Description: **From:** Route 1494 (Brian Wesley Court)
To: Route 1764 (Blackberry Bend)
 A distance of: 0.06 mile.

Right of Way Record: Filed with the Clerk of the Circuit Court on 4/30/1991, Plat Book 11, Pgs. 316-317, and 3/7/2003, Instrument #030005772, with a width of 50'

Sheldon Court, State Route Number 1492

Description: **From:** Route 1491 (Richter Lane)
To: End of cul-de-sac
 A distance of: 0.13 mile.

Right of Way Record: Filed with the Clerk of the Circuit Court on 7/3/2002, Instrument #020013165, with a width of 50'

Item No. 5. DISASTER RECOVERY FUND GRANT PROPOSAL: Resolution R05-111

A RESOLUTION TO APPROVE THE COUNTY'S APPLICATION FOR 2005 DISASTER RELIEF PROGRAM FUNDING FROM THE VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

WHEREAS, the Department of Housing and Community Development has made grant funding available through the 2005 Disaster Relief Program; and

WHEREAS, it is the County's intent to apply for both individual assistance for eligible households, as well as two eligible public facility requests; and

WHEREAS, the Department of Housing and Community Development requires a resolution authorizing the County Administrator to sign and submit all appropriate information necessary to apply for funding; and

WHEREAS, the proposed project area will include scattered sites throughout the County, and relief totaling \$700,000 is requested from the State; and

WHEREAS, the required local matching funds will be made available by individual applicants and whenever possible local disaster relief program funding will be made available to eligible households; and

WHEREAS, all grant requirements for citizen participation have been met through the publication of a press release, press coverage, internet web postings, advertisements on Channel 46 and direct correspondence to households known to have experienced the requisite 50 percent loss

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 7th day of June, 2005, that the County Administrator is hereby authorized to accept grant funds from the 2005 Disaster Recovery Fund and to execute any necessary grant agreements, related contracts, or other documents, subject to approval as to form by the County Attorney, to provide such additional information as may be required by the terms of the grant agreement, and to do all things necessary to implement the 2005 Disaster Recovery Fund.

BE IT FURTHER RESOLVED that the County Administrator is authorized to accept any subsequent offer of funding that would not exceed available resources for any required matches and to increase amounts appropriated in the budget if and when funds become available and to advise the Board of all such actions in writing.

Item No. 6. ACCEPTANCE OF GRANT FUNDS: Resolution R05-112

A RESOLUTION TO ACCEPT AND APPROPRIATE U. S. DEPARTMENT OF HOMELAND SECURITY, OFFICE FOR DOMESTIC PREPAREDNESS ASSISTANCE TO FIREFIGHTERS GRANT FUNDS IN THE AMOUNT OF \$135,485 AND TO AUTHORIZE THE COUNTY ADMINISTRATOR TO DO ALL THINGS NECESSARY TO PROCURE SELF-CONTAINED BREATHING APPARATUS AND ASSOCIATED EQUIPMENT IN THE AMOUNT OF \$310,688

WHEREAS, the York County Department of Fire and Life Safety sought and has been awarded Federal grant funding in the amount of \$135,485 for the replacement of its self-contained breathing apparatus and associated equipment; and

WHEREAS, funds previously appropriated are available to provide the necessary grant match and to further support the initiative; and

WHEREAS, it is the policy of the Board of Supervisors that all procurements of goods and services by the County involving the expenditure of \$30,000 or more be submitted to the Board for its review and approval; and

WHEREAS, the County Administrator has determined that the procurement of replacement self-contained breathing apparatus and associated equipment in the amount of \$310,688 is necessary and desirable, it involves the expenditure of \$30,000 or more, and that all applicable laws, ordinances and regulations have been complied with;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 7th day of June, 2005, that grant funds in the amount of \$135,485 from the U. S. Department of Homeland Security, Office for Domestic Preparedness, Assistance to Firefighters Grant Program be accepted and appropriated.

BE IT FURTHER RESOLVED that the County Administrator be, and he is hereby, authorized to execute procurement arrangements for the self-contained breathing apparatus replacement project in the amount of \$310,688.

Item No. 7. PURCHASE AUTHORIZATION: Resolution R05-115

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO EXECUTE A CONTRACT FOR CONDENSER WATER SUPPLY
AND RETURN PIPING REPLACEMENT AT THE GRIFFIN-YEATES
CENTER

WHEREAS, it is the policy of the Board of Supervisors that all procurements of goods and services by the County involving the expenditure of \$30,000 or more be submitted to the Board for its review and approval; and

WHEREAS, the County Administrator has determined that the following procurement is necessary and desirable, it involves the expenditure of \$30,000 or more, and that all applicable laws, ordinances, and regulations have been complied with;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 7th day of June, 2005, that the County Administrator be, and hereby is, authorized to execute procurement arrangements for the following:

	<u>AMOUNT</u>
Condenser Water Supply and Return Piping Replacement	\$46,900

OPEN DISCUSSION

Mr. Shepperd spoke of a letter the Board received from the Newport News/Williamsburg Airport, stating he attended the meeting reflected in this letter. He stated one thing that struck him at the meeting was that the County contributes about \$36,000 to the airport, and traffic had really picked up, but it was being significantly undermined now because the low cost air carrier has moved to Richmond, and the airport was now losing the business, and it will be a future challenge. He stated the area still has to contend with the fact that Richmond and Norfolk have the low airfare carriers, and the question for the region is how much was it going to do to try to support the airport. Mr. Shepperd stated he just wanted to let the Board know there was an issue as to the traffic count at the airport, and more might be lost.

Chairman Burgett stated an airport was a regional asset. If it did not have one, there was zero chance of improving the economy. He asked Mr. Shepperd to keep bringing the Board the information from the Airport Commission.

Mr. Zaremba agreed that the situation bears close watching. He stated he had seen nothing in the local media concerning a turnabout from the growth the airport was previously experiencing.

Mr. Bowman indicated the Regional Issues Committee met this morning and was given a tour and orientation at Riverwalk. He stated the members were very impressed and enjoyed seeing what has been done on the waterfront. He also noted that all the construction taking place in James City County was discussed, and the committee wants to visit there also. Mr. Bowman thanked Mark Carter and John Hudgins for the tour.

Mrs. Noll expressed her appreciation to the staff and everyone involved with the Memorial Day weekend celebration. She stated it was a very exciting time for everyone, and those who were not there missed a great time.

Mr. Zaremba spoke concerning the Williamsburg Area Transit Authority and the expanded bus service it provided. He stated the down side was that there are bus stops throughout the route, no benches or shelter for bad weather. He asked staff to look into what could be done about getting some shelter for those stops. Mr. Zaremba stated the Riverwalk Landing grand opening provided an unbelievable Memorial Day weekend, stating he had received nothing but positive emails. He noted that driving through Yorktown this evening he did not see any speed limit signs coming into Yorktown, and he asked staff to look into it.

Chairman Burgett agreed that the new Riverwalk Landing is outstanding. He talked about people fishing from the rocks in the groins, and expressed his concern that someone might get hurt. He asked if some warning signs should be posted, and asked staff to look into it.

Mr. Shepperd asked how the staff was dealing with the new issues that are being brought up due to the opening of the Riverwalk.

Mr. McReynolds stated he was putting together a Yorktown operations committee to make sure in the early stages that staff was having effective communications. He noted he had been in touch with Mr. Peters about signage, and staff was trying to incorporate signs that indicate swimmers do so at their own risk. He stated there were a number of things staff was looking at in addition to speed limit and no parking signs.

CLOSED MEETING. At 8:46 p.m. Mr. Zaremba moved that the meeting be convened in Closed Meeting pursuant to Section 2.2-3711(a)(1) of the Code of Virginia pertaining to appointments to Boards and Commissions and to the salaries of specific County officers.

On roll call the vote was:

Yea:	(5)	Noll, Bowman, Shepperd, Zaremba, Burgett
Nay:	(0)	

Meeting Reconvened. At 9:45 p.m. the meeting was reconvened in open session by order of the Chair.

Mrs. Noll moved the adoption of proposed Resolution SR-1 that reads:

A RESOLUTION TO CERTIFY COMPLIANCE WITH THE FREEDOM OF INFORMATION ACT REGARDING MEETING IN CLOSED MEETING

WHEREAS, the York County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711.1 of the Code of Virginia requires a certification by the York County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 7th day of June, 2005, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the York County Board of Supervisors.

June 7, 2005

On roll call the vote was:

Yea: (5) Bowman, Shepperd, Zaremba, Noll, Burgett
Nay: (0)

APPOINTMENT TO THE YORK COUNTY ECONOMIC DEVELOPMENT AUTHORITY

Mr. Burgett moved the adoption of proposed Resolution R05-116(R) that reads:

A RESOLUTION TO REAPPOINT A MEMBER TO THE YORK
COUNTY ECONOMIC DEVELOPMENT AUTHORITY

WHEREAS, on June 30, 2005, the term of R. Anderson Moberg on the York County Economic Development Authority will expire;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 7th day of June, 2005, that R. Anderson Moberg be, and he is hereby, reappointed to the York County Economic Development Authority for a term of four years, such term to begin July 1, 2005, and expire June 30, 2009.

On roll call the vote was:

Yea: (5) Shepperd, Zaremba, Noll, Bowman, Burgett
Nay: (0)

Meeting Adjourned. At 9:50 p.m. Chairman Burgett declared the meeting adjourned sine die.

James O. McReynolds, Clerk
York County Board of Supervisors

James S. Burgett, Chairman
York County Board of Supervisors